

ITEM 3

COMMUNIST PROPAGANDA

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PRINCIPAL ARGUMENTS AGAINST PROPOSAL

1. IT ONLY AFFECTS ONE CATEGORY OF COMMUNIST PROPAGANDA, IMPORTED PROPAGANDA NOT ADDRESSED TO REGISTERED AGENTS (OR TO GOVERNMENT AGENCIES). IN THE IMPORTED FIELD ALONE, SUCH MATERIAL IS LESS THAN THE TOTAL ADDRESSED TO REGISTERED AGENTS (70,000 PIECES VS. 100,000 IN THE 5-MONTH TEST COVERED IN PARA. 2 a. OF THE BASIC PAPER). MOREOVER, IMPORTED MATERIAL IS ALMOST CERTAINLY SUBSTANTIALLY LESS IN QUANTITY THAN DOMESTICALLY PRODUCED MATERIAL. EVEN IF, AS IS CLAIMED, THE TOTALS SHOWN IN PARA. 2 a. ARE ONLY A FRACTION OF THE REAL TOTALS, THE WHOLE WOULD STILL BE FAR LESS THAN SUCH DOMESTICALLY PRODUCED MATERIALS AS THE DAILY WORKER (10,500 CIRCULATION DAILY, VERSUS A TOTAL OF 500-ODD ITEMS PER DAY TOTAL, SHOWN BY THE TEST IN THE CATEGORY AFFECTED BY THE PROPOSAL.)

(ARGUMENTS AGAINST)

2. THE PROPOSAL WOULD STILL PERMIT KEY IDEAS, COPY, AND "LINES" TO COME IN THROUGH MATERIAL RECEIVED BY REGISTERED AGENTS OR THROUGH PRIVATE MAIL (SUBJECT ONLY TO SPOT CHECK, AND EASILY SENT TO COVERS IN ANY EVENT). ALSO, RADIO WOULD NOT BE AFFECTED.

3. THE PROPOSAL WOULD ALMOST CERTAINLY HAVE GENERAL HARMFUL EFFECTS ABROAD, AND MIGHT HAVE SERIOUS CONSEQUENCES IN PARTICULAR SITUATIONS. THE GENERAL EFFECT WOULD BE ALONG THE LINES OF THAT ALREADY CREATED BY THE MCCARRAN ACT AND ACTIVITIES OF EXTREMISTS. SPECIFIC EFFECTS MIGHT OCCUR IF THE LAW WERE APPLIED TO LEFT-WING MATERIALS, YUGOSLAV MATERIALS, "NEUTRALIST" MATERIALS, ETC. -- WHICH WOULD BE VERY LIKELY TO HAPPEN EVEN IF THE LAW WERE CLEARLY DRAWN. (EVEN THE EXAMINATION OF SUCH MATERIALS MIGHT OCCASION SERIOUS DELAY AND CAUSE ABOUT AS MUCH TROUBLE AS ACTUAL CONFISCATION.)

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(ARGUMENTS AGAINST)

4. The PROPOSAL WOULD ALMOST CERTAINLY REDUCE SOMEWHAT THE INFLOW OF MATERIAL USED FOR PROPER AND IN SOME CASES HIGHLY DESIRABLE PURPOSES. THE LAW WOULD APPARENTLY REQUIRE SOME FORM OF CERTIFICATE BY RECEIVERS OF MATERIAL THAT IT WOULD NOT BE USED FOR PROPAGANDA PURPOSES. HARVARD AND THE NEW YORK PUBLIC LIBRARY WOULD DO THIS, BUT SMALL COLLEGES AND LIBRARIES WOULD FIND IT TOO MUCH TROUBLE OR TOO HARD TO DEFEND BEFORE THE LEGION OR THEIR BOARDS OF REGENTS. CERTAINLY IT IS IN THE NATIONAL INTEREST TO KEEP UP SOVIET BLOC STUDIES IN THE US. ... MOREOVER, IT IS NOT CLEAR JUST HOW THE LABELLING MIGHT BE HANDLED. IF THE IRON CURTAIN SENDER WERE REQUIRED TO LABEL, THE EFFECT ON VOLUME OF USEFUL MATERIAL MIGHT BECOME EVEN MORE SERIOUS.

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5. IT MIGHT BE POSSIBLE TO HANDLE THE MOST VIRULENT TYPES OF IMPORTED MATERIAL -- MINORITY LANGUAGE GROUP MATERIAL OR MATERIAL ADDRESSED TO RELATIVES OF POW'S -- BY SPECIFIC POST OFFICE ACTION, PERHAPS HANDLED COVERTLY. IN MOST CASES, EITHER THE ADDRESSEES OR THE NATURE OF THE MATERIAL MUST MAKE IT NOT TOO DIFFICULT TO IDENTIFY. HOWEVER, TO AVOID UNFAVORABLE PUBLICITY, PARTICULARLY ABROAD, THIS SHOULD BE DONE ONLY BY SMALL SKILLED STAFFS WORKING TO WELL-DEFINED STANDARDS.

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(ARGUMENTS AGAINST)

6. THE PROPOSAL MIGHT HAVE ADVERSE EFFECTS ON OUR OWN PROPAGANDA EFFORTS ABROAD. IT MIGHT LEAD TO SPECIFIC REPRISALS BY SUCH COUNTRIES AS INDIA AND YUGOSLAVIA. IT MIGHT IN THE FUTURE TIE OUR HANDS ON WHITE OPERATIONS BEHIND THE CURTAIN. AND IN GENERAL TERMS IT WOULD CERTAINLY IMPAIR THE PICTURE OF THE US AS THE HOME OF FREEDOM OF EXPRESSION. (WHILE WE DO NOT OURSELVES EXHIBIT COMMUNIST MATERIALS IN OUR USIA LIBRARIES, IT IS ANOTHER THING TO CONTROL THE INFLOW INTO THE US.)

7. THE PROPOSAL WOULD BE IN SOME DEGREE AN INHIBITION ON FREEDOM OF SPEECH AND EXPRESSION, ON THE PRINCIPLE THAT ANY FORM OF RESTRAINT, WHETHER OR NOT IT IS ACTUALLY CENSORSHIP, DOES SO. THIS WOULD APPLY TO DISCRIMINATORY TAXES OR MAIL RATES, AND MUST ALSO APPLY TO THE COST, DELAY, AND INCONVENIENCE OF A LABELLING REQUIREMENT NECESSARILY ACCOMPANIED BY INSPECTION. (THIS MAY ^{be} A SECONDARY ARGUMENT IN IMPORTANCE.)

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